

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
at CHATTANOOGA**

HAUCK MANUFACTURING COMPANY,)

Plaintiff,)

v.)

ASTEC INDUSTRIES, INC.; ASTEC
INC.; and BRUCE IRWIN)

Defendants.)

1:03-cv-166
Collier/Carter

ORDER

Presently before the Court is the motion of Defendants Astec Industries, Inc. and Astec, Inc. (“Defendants”) to tax costs (Court File No. No. 396). Defendants request the Court enter an order lifting the stay entered by the Court on March 8, 2005 and direct the Clerk to tax costs against Plaintiff Hauck Manufacturing Company (“Plaintiff”) in the amount of \$16,243.03.

It is not necessary for the Court to enter an order lifting the stay of the taxation of costs. The Court directed the Clerk to abstain from awarding costs “during the pendency of Plaintiff’s motion for a new trial” (Court File No. 383, p. 1). The motion for new trial is no longer pending. (Court File No. 387).

The taxation of costs is hereby **REFERRED** to the Clerk pursuant to *Fed. R. Civ. P.* 54 and E.D. TN. LR 54.1.

SO ORDERED.

ENTER:

/s/

**CURTIS L. COLLIER
CHIEF UNITED STATES DISTRICT JUDGE**